UNITED
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Security Council

Distr.
GENERAL

S/1994/895
29 July 1994

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Recalling its relevant resolutions on Cyprus,

Welcoming the report of the Secretary-General of 30 May 1994 (S/1994/629) and his letter of 28 June 1994 (S/1994/785), concerning his mission of good offices,

Reaffirming, in this context, that the confidence-building measures, while not an end in themselves, nor a substitute for the wider political process, would offer significant benefits to both communities and would facilitate the political process towards an overall settlement,

Recalling the acceptance in principle by both parties of the confidence-building measures, and welcoming the acceptance by the leader of the Greek Cypriot Community of the 21 March 1994 "Draft ideas for implementing the package of confidence-building measures" (S/1994/785, annex), and welcoming also the considerable progress towards agreement made by the leader of the Turkish Cypriot community, as described in the Secretary-General's letter of 28 June 1994,

Noting that there is now a substantial measure of agreement on the substance of the confidence-building measures and the modalities for their implementation, but also noting with concern that neither leader is yet prepared to proceed to their implementation on the basis outlined in the Secretary-General's letter of 28 June 1994,

Having studied the options and ideas for future action set out in paragraphs 57 to 62 of the Secretary-General's report of 30 May 1994,

1. Reiterates that the maintenance of the status quo is unacceptable;

2. Reaffirms its position that a Cyprus settlement must be based on a State of Cyprus with a single sovereignty and international personality and a single citizenship, with its independence and territorial integrity safeguarded, and comprising two politically equal communities as described in the relevant

Security Council resolutions, in a bi-communal and bi-zonal federation, and that such a settlement must exclude union in whole or in part with any other country or any form of partition or secession;

3. Requests the Secretary-General to begin consultations with members of the Council, with the Guarantor Powers, and with the two leaders in Cyprus with a view to undertaking a fundamental and far-reaching reflection on ways of approaching the Cyprus problem in a manner that will yield results, and reiterates its call to the parties to demonstrate their commitment by cooperating fully to this end;

4. Urges, in this context, the parties to cooperate fully with the Secretary-General and his Special Representative to achieve agreement on the modalities for implementing the confidence-building measures at the earliest possible time;

5. Also requests the Secretary-General to submit a report by the end of October 1994 including a programme for achieving an overall solution to the issues involved in the Cyprus problem following his consultations referred to in paragraph 3 above and on progress made towards the implementation of the confidence-building measures;

6. Decides to remain actively seized of the matter.

UNITED NATIONS **S**

Security Council

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GENERAL

S/1994/896
28 July 1994

ORIGINAL: ENGLISH

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

As part of the efforts to improve the documentation of the Security Council, the members of the Council have again reviewed the list of matters of which the Security Council is seized (S/1994/20, para. 9, and Add. 3, 12, 14, 21 and 25). The Council has decided to remove the following matters from the list: items nos. 4, 6, 11, 14, 16, 17, 21, 22, 34, 37, 39, 41, 44, 47, 48, 50, 51, 54, 58, 59, 60, 63, 67, 68 and 69.

The members of the Council will continue to review from time to time the list of matters of which the Security Council is seized.

* * *

The above decision has been taken after extensive consideration and appropriate consultation by the informal Working Group of the Security Council concerning the Council's documentation and other procedural questions.

Neither the removal of a matter from the list of matters of which the Security Council is seized nor its retention carries any implication for the substance of the matter. The Council may at any time decide to include any matter in the agenda of a meeting of the Council, whether or not it is included in the list.

94-30780 (E) 280792 28/07/94

UNITED NATIONS

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General Assembly
Security Council

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A/48/977
S/1994/897
28 July 1994

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GENERAL ASSEMBLY
Forty-eighth session
Agenda item 54
QUESTION OF CYPRUS

SECURITY COUNCIL
Forty-ninth year

Letter dated 28 July 1994 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 28 July 1994 addressed to you by Mr. Osman Ertuğ, representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex, which contains a letter dated 28 July 1994 sent to you by Mr. Atay A. Raşit, Minister for Foreign Affairs and Defence of the Turkish Republic of Northern Cyprus, could be circulated as a document of the forty-eighth session of the General Assembly, under agenda item 54, and of the Security Council.

(Signed) İnal BATU
Ambassador
Permanent Representative

ANNEX

Letter dated 28 July 1994 from Mr. Osman Ertuğ

I have the honour to enclose herewith a self-explanatory letter dated 28 July 1994, addressed to Your Excellency by Mr. Atay A. Raşit, Minister for Foreign Affairs and Defence of the Turkish Republic of Northern Cyprus (see appendix).

(Signed) Osman ERTUĞ
Representative
Turkish Republic of
Northern Cyprus

APPENDIX

I have the honour to refer to the "Second periodic report" concerning compliance with the International Covenant on Civil and Political Rights submitted by the Greek Cypriot administration, ostensibly on behalf of "Cyprus", on 14 July 1993 and circulated as document CCPR/C/32/Add.18. The annex entitled "Factors or difficulties affecting the enjoyment of the rights recognized in the Covenant" attached to the aforementioned report contains a number of allegations that are totally unfounded and that contradicts the realities of the Cyprus problem. It is my duty to respond to these allegations in order to put the record straight.

The said documents purports to accuse Turkey of human rights violations in Cyprus and for carrying out "ethnic cleansing" methods in order to forcibly expel the Greek Cypriots living in northern Cyprus. Those of us who are familiar with the events of the recent past in Cyprus know perfectly well that the Greek Cypriots are the last people to accuse anybody of human rights violations or "ethnic cleansing". In the genocidal attacks launched against the Turkish Cypriots during the period 1963-1974, not only did the Greek Cypriots drive the Turkish Cypriot population out of their homes and properties (some 30,000 people) in 103 villages, but also engaged in brutal mass killings in many villages throughout Cyprus. During this period, even the basic human rights and freedoms of the Turkish Cypriots were violated by the Greek Cypriot administration, which imposed severe restrictions on the Turkish Cypriot enclaves and curtailed all efforts to revive the Turkish Cypriot economy by waging a war of attrition against them. The savagery and ferocious nature of these attacks, which continued intermittently, until 1974, have been recorded in periodic reports issued by the United Nations as well as in foreign press reports.

The Turkish intervention that followed the Greek-Greek Cypriot coup in 1974 was inevitable in the face of the open aggression against Cyprus and the threat posed against the security of the Turkish Cypriots by Greek and Greek Cypriot forces which were poised to overrun Turkish Cypriot areas in a matter of days and carry out their extermination plans. The Greek invasion of Cyprus was thwarted by the timely intervention of Turkey, which was in accord with the 1960 Treaty of Guarantee. Thus, Turkey's intervention in Cyprus brought an end to the systematic human rights violations by the Greek Cypriots and saved the Turkish Cypriots from total annihilation. It was not an "invasion" but a peace operation, which the Turkish Government was compelled to carry out in order to protect the lives of the Turkish Cypriots. What the Greek Cypriot side chooses to describe as an "invasion", therefore, was a fully legal and legitimate peace operation that saved the island from being colonized by Greece, and liberated Turkish Cypriots from Greek Cypriot terror and inhuman treatment, which had been continuing for 11 years, between 1963 and 1974.

Obviously, the responsibility for the murder of hundreds of defenceless Turkish Cypriots, the destruction of the bi-communal partnership State by force of arms and for the division of Cyprus rests solely with the Greek Cypriot leadership.

As for the allegation of "Turkish occupation", which has been repeated in the said document, it should be pointed out in this context that the presence of the Turkish forces in northern Cyprus is a vital security requirement for the Turkish Cypriot people, particularly in the absence of a political settlement. Given the massive arms build-up in south Cyprus, and our experience with the Greek Cypriots during the turbulent period between 1963 and 1974, there can be no premature reduction in the number of Turkish forces on the island.

The allegation of "displacement of persons and refusal to allow the return of the displaced persons" is quite unrealistic. While it is true that many Turkish Cypriots, as well as Greek Cypriots, were displaced as a result of the Greek Cypriot coup and its aftermath, out of fear, it is also equally true that the question of displaced persons has been settled by the Population Exchange Agreement reached between the two sides at the third round of the intercommunal talks held at Vienna from 31 July to 2 August 1975, whereby the two sides agreed on a voluntary regrouping of populations in their own respective territory, the Turkish Cypriots in the north and the Greek Cypriots in the south. Your Excellency is well aware that this voluntary regrouping of populations has been carried out under the supervision of the United Nations peace-keeping Force in Cyprus (UNFICYP).

There is no question of any such "forcible expulsion", as alleged by the Greek Cypriot administration, of the Greek Cypriots from the north. All Greek Cypriots applying for permanent transfer to the south are interviewed in private by UNFICYP in order to verify that the transfers are voluntary (see United Nations reports quoted below).

In the said document, it is also alleged that the Greek Cypriots living in the north are denied access to medical doctors and educational facilities.

As a matter of fact, there are adequate health centres of the Ministry of Health of the Turkish Republic of Northern Cyprus serving the local populace (Turkish Cypriots, Greek Cypriots and Maronites) in the Karpaş and Girne areas. Local health centres in the Karpaş peninsula are situated in Dipkarpaz and Yeni Erenkoy. In cases where the said medical centres fall short of providing the necessary medical treatment, patients are transferred to the Gazi Magosa State Hospital for treatment and, where Greek Cypriots are concerned, upon request, they can be transferred to the Greek Cypriot side. In the same manner, Maronites living in Koruçam, Özhan and Karpaş have access to medical services provided at the neighbouring areas of Tepebaşi, Lapta and Girne.

As regards education facilities, three Greek Cypriot elementary schools in Karpaş provide schooling for some 40 pupils, and have access to textbooks from the Greek Cypriot side.

Furthermore, Greek Cypriots in Karpaş have access to and attend religious services without hindrance and sustain their lives in serenity within the existing rule of law in the Turkish Republic of Northern Cyprus.

Concerning the so-called "enclaved Greek Cypriots", the alleged non-compliance with some of the provisions or paragraphs of the Vienna Agreement is also totally fabricated, as it contradicts the prevailing facts recorded in

the relevant United Nations documents. As it will be clearly observed from the following extracts chosen at random from various reports of the Secretary-General to the Security Council, the Turkish Cypriot side has always adhered to the terms of these Agreements:

"Medical care available to Greek Cypriots in the North is as good as that provided to Turkish Cypriots in the same area. Greek Cypriots may obtain permission for temporary visits to the South in order to obtain medical treatment ..." (S/12723 of 31 May 1978, para. 28).

"Two Greek Cypriot primary schools are operating in the north. Both are in the Karpaş area: one in Ayia Tries and the other in Rizokarpaso ..." (S/12723 of 31 May 1978, para. 29).

"As indicated in my last report, there appears to be no restriction on freedom of worship in the north wherever the services of a priest are available" (S/12723 of 31 May 1978, para. 32).

"UNFICYP continues to have access to Greek Cypriot habitations in the north. Officers making liaison visits, in performance of humanitarian tasks continue to have the opportunity to speak with Greek Cypriots there in privacy" (S/12946 of 1 December 1978, para. 15).

"No restriction on freedom of worship in the north have been reported for the period under review" (S/13369 of 31 May 1979, para. 34).

"There have been 18 permanent transfers of Greek Cypriots from north to south during the reporting period. The majority of these involved are elderly people who went to live with relatives in the south. ... UNFICYP continues to verify that all transfers take place voluntarily" (S/16596 of 1 June 1984, para. 30).

"UNFICYP discharged its humanitarian functions for the Greek Cypriots living in the northern part of the island, almost all of them in the Karpaş peninsula, who now number 611. UNFICYP distributed 403 tons of foodstuffs and other supplies provided by the [Greek Cypriot Administration] and the Cyprus Red Cross Society. It also distributed social welfare and pension benefits to them. UNFICYP personnel interviewed, in private, Greek Cypriots who applied for permanent transfer to the southern part of the island, in order to verify that the transfer was voluntary. UNFICYP assisted again in arranging visits of children attending school in the south to their families in Karpaş" (S/21010 of 7 December 1989, para. 22).

"UNFICYP provided emergency medical services, including medical evacuation, to members of both communities. It also carried out the arrangements for the delivery of mail and Red Cross messages across the lines" (S/21010 of 7 December 1989, para. 25).

"UNFICYP continued to interview Greek Cypriots who applied for 'permanent transfer' to the southern part of the island in order to verify that the transfer was voluntary. ... UNFICYP also facilitated 795 visits

by Greek Cypriots from the Karpaş to the southern part of the island" (S/25912 of 9 June 1993, para. 28).

"Turkish Cypriot ambulances escorted by UNFICYP Civilian Police (CIVPOL) and fitted with temporary licence plates now cross the buffer zone directly from point of origin in the northern part of the island to hospitals in the southern part and return. Both communities have benefited from this new procedure. To date there have been 14 medical evacuations of Greek Cypriot patients and 6 medical evacuations of Turkish Cypriot patients" (S/1994/680 of 7 June 1994, para. 33 (a)).

"... UNFICYP continued to provide them with humanitarian support, delivering foodstuffs and other supplies provided by the [Greek Cypriot Administration]" (S/1994/680 of 7 June 1994, para. 34).

"UNFICYP continued to interview Greek Cypriots who applied for 'permanent transfer' to the southern part of the island in order to verify that the transfer was voluntary. Two such transfers took place during the reporting period and three Turkish Cypriots transferred permanently from south to north. UNFICYP also facilitated 486 visits by Greek Cypriots from the Karpaş peninsula to the southern part of the island" (S/1994/680 of 7 June 1994, para. 36).

The above extracts from relevant United Nations reports testify to the living conditions of the Greek Cypriots in the north as well as to the freedom of movement, education and worship enjoyed by these people.

The allegation of "continuing colonization by Turkey through the importation of settlers from mainland Turkey" is totally unfounded and only aims to misrepresent the realities. It is true that a limited number of immigrant workers arrived from Turkey and also from other countries, as a necessary measure in the face of a labour shortage after 1974. In accordance with the relevant legislation in the Turkish Republic of Northern Cyprus, which is in fact identical to the legislation in south Cyprus, some of these people have been granted citizenship after five years of residence. It hardly needs to be stressed that migration of labour and immigration in general are international phenomena affecting all countries, including northern Cyprus. It is important also to note that the number of people who have resettled in the north since 1974, in accordance with the relevant legislation of the Turkish Republic of Northern Cyprus, is nowhere near the thousands of Greek mainlanders who have been settled in Cyprus over the years since 1963, and the thousands of immigrants mainly from the Middle East countries who have come to southern Cyprus since 1974. The alleged number of "settlers", given as 80,000 in the report, is a grossly exaggerated figure as also borne out by the fact that the Turkish Cypriot economy could not in any event support such a number.

In view of the foregoing, the Greek Cypriots are in no position to complain about human rights issues in Cyprus. It was the Greek Cypriot administration that violated the most basic human rights of the Turkish Cypriots and the principles of the rule of international law. Today, the Turkish Cypriots enjoy human rights free from Greek Cypriot domination and terror. All persons resident in the Turkish Republic of Northern Cyprus enjoy these rights and freedoms irrespective of origin or creed.

(Signed) Atay A. RAŞIT
Minister for Foreign Affairs
and Defence

UNITED NATIONS **S**

Security Council

Distr.
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S/1994/898
30 July 1994

ORIGINAL: ENGLISH

LETTER DATED 28 JULY 1994 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

The members of the Security Council have reviewed the situation in Somalia as envisaged in resolution 923 (1994) of 31 May 1994. The review was considerably facilitated by the comprehensive nature of your report of 18 July 1994 (S/1994/839).

The Council members noted with satisfaction the gains made in Somalia on the humanitarian front, with the assistance of the United Nations Operation in Somalia (UNOSOM II), United Nations agencies and non-governmental organizations. They also welcomed the progress made in the re-establishment of the Somali police and justice systems as well as in demining activities.

The Council members share your serious concern at the very little forward movement registered in the Somali national reconciliation process since the Nairobi Declaration of 24 March 1994 and at the recent deterioration in the security situation in Somalia. They are disappointed at the repeated postponements of the National Reconciliation Conference and its Preparatory Meeting, for which there is still no agreement on either the dates or the venue.

In view of the situation in Somalia, described in your report, the Council members considered most appropriate and timely your directive to your Special Representative for Somalia to prepare an in-depth assessment of the prospects for national reconciliation in Somalia. They also welcomed your decision to dispatch a special mission to Somalia and to present recommendations to the Security Council on the future size of UNOSOM II as soon as possible.

(Signed) Jamsheed K. A. MARKER
President of the Security Council

94-31102 (E) 300794 31/07/94

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S/1994/899
30 July 1994

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LETTER DATED 28 JULY 1994 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF AZERBAIJAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the text of a statement by the Ministry of Foreign Affairs of the Azerbaijani Republic, issued on 28 July 1994.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Yashar T. ALIYEV
Chargé d'affaires a.i.

94-31120 (E) 010894 02/08/94

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Annex

[Original: Russian]

Statement dated 28 July 1994 from the Ministry of Foreign Affairs of Azerbaijan

In the past few days in the occupied territories of Azerbaijan, the armed forces of Armenia have been continuing their "scorched earth" tactics aimed at destroying towns and villages in the captured districts, demolishing all of Azerbaijan's cultural and historical monuments, the massive cutting down of forests and gardens, the disruption of communications and the plundering of industrial enterprises with the subsequent removal of the stolen property to the territory of Armenia.

At the same time, in accordance with orders from Armenian leaders, railroad sections and tunnels are being deliberately destroyed in the Zangelan and Djebrail districts of Azerbaijan. In order to remove stolen property to the territory of Armenia, the occupiers have kept in operation only the Mindjevan-Kafan railroad line.

Such acts of vandalism are designed to weaken Azerbaijan and deprive it in the future of the possibility of speedily restoring the economies of the occupied districts after the occupiers have gone. At the same time, they are pursuing the objective of striking at Azerbaijan's economic ties with neighbouring States, which were maintained through these districts.

Azerbaijan's leaders call upon all international organizations and the entire world community to raise their voice in protest against the latest acts of vandalism being carried out by Armenia.